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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/771,102	01/26/2001	Jeremy M. Ford	16356.752	7708
7590	02/23/2005		EXAMINER	
DAVID L. MCCOMBS HAYES AND BOONE, LLP 901 MAIN STREET, SUITE 3100 DALLAS, TX 75202-3789				CHAU, COREY P
		ART UNIT		PAPER NUMBER
		2644		

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/771,102	FORD, JEREMY M.
	Examiner Corey P Chau	Art Unit 2644

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 19 August 2004.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1,10-12,15-17 and 19-22 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1,10-12,15-17 and 19-22 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 19 August 2004 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### ***Specification***

1. The disclosure is objected to because of the following informalities: the specification is inconsistent with Claims 15 and 19.

Appropriate correction is required.

### ***Claim Objections***

2. Claim 12 is objected to because of the following informalities: on line 13 recites "the mode switch" which should be replaced with "the first switch". Appropriate correction is required.
3. Claim 15 is objected to because of the following informalities: on line 3, recites "high-current 3 supply" which should be replaced with "high-current supply". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 10-12, 15, and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
6. Regarding Claims 10 and 11, recites "An audio system as defined in Claim 9", which has been cancelled. Therefore it is unclear to the Examiner as to what is the

dependency of Claims 10 and 11. For examining purposes, Claims 10 and 11 are assumed to depend on Claim 1. In addition, Claim 10, recites "regulated supply", however the first voltage supply is not regulated, therefore it is unclear to the Examiner as to what the applicant is trying to claims as their invention. For examining purposes, Claim 10 is read as "high-current supply" in place of "high-current, regulated supply".

7. Regarding Claim 12, recites "the mode switch" on line 13, however Claim 12 has been amended to not include "a mode switch", but "a first switch and a second switch". For examining purposes, "the mode switch" is assumed to be the "first switch".

8. Regarding Claim 15, recites, "wherein the first voltage supply is a low-current supply and the second voltage supply is a high-current supply", which is inconsistent with the specification.

9. Regarding Claim 19, recites "An apparatus as defined in Claim 18", which has been cancelled. Therefore it is unclear to the Examiner as to what is the dependency of Claim 19. For examining purposes, Claim 19 is assume to depend on Claim 16. In addition, amended Claim 19 recites, "the first voltage source is a high-current voltage source and the second voltage source is a high-current voltage source" which is inconsistent with the specification. For examining purposes, it is assumed that "the second voltage source" is a low-current voltage source. Claims 20 and 21 depends on Claim 19 and is also rejected.

***Claim Rejections - 35 USC § 102***

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1, 10-11, 12, 15-17, and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5910991 to Farrar.

12. Regarding Claim 1, Farrar discloses an audio system for use with a personal computer (Fig. 1; column 1, lines 51-60), the audio system comprising: a first voltage supply (Fig. 1; column 2, lines 6-10); a first switch (i.e. CMP1's output is then used to disable loudspeaker amplifier A4 22 whenever a plug is inserted in the audio output jack, J1 16); a second voltage supply (column 2, lines 1-10); a second switch coupled to the second voltage supply and to a jack-sense indicator (column 2, lines 20-27); an audio amplifier (Fig. 1); means for connecting a first speaker (23) to the audio amplifier (Fig. 1); a jack (16) for coupling a second speaker (i.e. headphone) to the audio amplifier (Fig. 1); a jack-sense line (21) including the jack-sense indicator (19,20) coupled to the jack, the jack-sense line (21) assuming a first condition when a speaker is connected to the jack and assuming a second condition when a speaker is not connected to the jack (column 2, lines 1-31); and the second switch coupled to the first voltage supply, to the second voltage supply, and to the audio amplifier (Fig. 1), whereby, when the jack-sense indicator (19,20) determines that the second speaker is

connected to the jack, the second switch is actuated to switch voltage from the first voltage supply to the second voltage supply (Fig. 1; column 2, lines 1-31).

13. Regarding Claim 10, as best understood with regarding the 112, 2<sup>nd</sup> problem as mention above, Farrar discloses the first voltage supply is a high-current supply (Fig. 1; column 2, lines 1-31).

14. Regarding Claim 11, as best understood with regarding the 112, 2<sup>nd</sup> problem as mention above, Farrar discloses the second voltage supply is a low-current supply (Fig. 1; column 2, lines 1-31).

15. Regarding Claims 12 and 15, as best understood with regarding the 112, 2<sup>nd</sup> problem as mention above, Farrar discloses a personal computer system comprising an audio system (Fig. 1; column 1, lines 51-61), the audio system comprising: a voltage supply subsystem having a first voltage supply and a second voltage supply (Fig. 1; column 1-10); an amplifier subsystem having a first stage with a noninverting output and a second stage with an inverting output (Fig. 1, references 11 and 12); a first speaker (23) coupled between the inverting output and the noninverting output; a jack (16) coupled to an amplifier output for a second speaker (i.e. headphone)(Fig. 1); a first switch (i.e. CMP1's output is then used to disable loudspeaker amplifier A4 22 whenever a plug is inserted in the audio output jack, J1 16) and a second switch (SW1)(Fig. 1), the second switch being coupled to the second voltage supply (SW1) and to a jack-sense indicator (19); and a jack-sense line (20) including the jack sense indicator (19) coupled between the jack and the first switch to cause the audio system to operate in a single-ended mode when the second speaker is coupled to the jack and in

a bridged mode when the second speaker is not coupled to the jack, whereby, when the jack-sense indicator determines that the second speaker is connected to the jack, the second switch is actuated to switch voltage from the first voltage supply to the second voltage supply (Fig. 1 column 2, lines 1-31).

16. Regarding Claims 16 and 19, Farrar discloses an apparatus comprising: a personal computer chassis (column 1, lines 13-25) having a connector for a primary speaker system (23) and a jack for a secondary speaker system (i.e. headphone)(Fig. 1); an audio amplifier system (11,12) including an audio amplifier enclosed within the computer chassis (column 1, lines 51-61); a jack-sense indicator (19,20) coupled between the jack (16) and the audio amplifier system (Fig. 1), wherein the jack-sense indicator (19,20) is operable to provide a first indication when the secondary speaker system is connected to the jack and a second indication when the secondary speaker system is not connected in the jack (column 2, lines 11-31); a dual-mode voltage supply comprising a first voltage source and a second voltage source (Fig. 1; column 2, lines 1-10); and a first switch and a second switch (Fig. 1), the second switch coupled to the second voltage supply and to the jack-sense indictor, whereby, when the jack-sense indicator determines that the second speaker system is connected to the jack, the second switch is actuated to switch voltage from the first voltage supply to the second voltage supply (Fig. 1; column 2, lines 1-31).

17. Regarding Claim 17, Farrar discloses the audio amplifier includes an inverting stage having an inverting output and a noninverting stage having a noninverting output and wherein the connector is coupled between the inverting output and the noninverting

output and the jack is connected between (i) either the inverting output or the noninverting output and (ii) GND (Fig. 1).

18. Regarding Claim 20, as best understood with regarding the 112, 2<sup>nd</sup> problem as mention above, Farrar discloses second voltage source is a regulated voltage source and the first voltage source is an unregulated voltage source (Fig. 1; column 2, lines 1-10).

19. Regarding Claim 21, as best understood with regarding the 112, 2<sup>nd</sup> problem as mention above, Farrar discloses the second voltage source is derived from the first voltage source (Fig. 1; column 2, lines 1-10).

20. Regarding Claim 22, Farrar discloses in a personal computer (column 1, lines 51-60), a method of supplying power to an audio amplifier (Fig. 1; column 2, lines 1-10), the method comprising: providing a voltage supply system that includes a first voltage source and a second voltage source (Fig. 1; column 2, lines 1-10); providing a jack (16); providing a first speaker (23) and a second speaker (i.e. headphone)(Fig. 1); providing a first switch (Fig. 1); and providing a second switch (SW1) coupled to the second voltage source and to a jack-sense indicator (19,20)(Fig. 1), whereby when the jack-sense indicator determines that the second speaker is connected to the jack, the second switch is actuated to switch voltage from the first voltage supply to the second voltage supply (Fig. 1; column 2, lines 1-31).

***Response to Arguments***

21. Applicant's arguments with respect to claims 1, 10-11, 12, 15-17, and 19-22 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period; then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey P Chau whose telephone number is (703)305-0683. The examiner can normally be reached on Monday - Friday 9:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tran Sinh can be reached on (703)305-4040. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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February 14, 2005



XU MEI  
PRIMARY EXAMINER